

Regular Session, 2011

SENATE RESOLUTION NO. 81

BY SENATOR MILLS

HEALTH CARE. Creates the Legislative Workgroup on Electronic Prescribing to study and make recommendations concerning electronic prescribing.

A RESOLUTION

To create the Legislative Workgroup on Electronic Prescribing to study and make recommendations concerning electronic prescribing.

WHEREAS, Louisiana is working to adopt electronic medical records systems; and

WHEREAS, a survey of physicians recently conducted by the American Medical Association found significant concerns among physicians about health insurer prior authorization requirements for both procedures and prescription medications, as well as the timely adjudication of such matters; and

WHEREAS, prior authorization programs have the potential to delay or limit access to needed treatments; and

WHEREAS, emerging electronic medical record systems may increasingly offer physicians the convenience of knowing whether a medication is covered by a health plan, and whether there are utilization management limitations associated with a medication, but health plans continue to require the submission of a prior authorization request via a paper system; and

WHEREAS, physicians often do not know the criteria for approval by a health plan of a requested treatment; and

WHEREAS, the Health Information Technology for Economic and Clinical Health

1 (HITECH) Act, enacted as part of the American Recovery and Reinvestment Act of 2009
2 (ARRA), provides federal incentives for Medicare and Medicaid providers and hospitals to
3 implement, adopt and upgrade health information technology, including electronic
4 prescribing and electronic health record systems; and

5 WHEREAS, states are responsible for administering the incentive payments, and
6 have already begun embarking on their own health IT initiatives; and

7 WHEREAS, the United States Department of Health and Human Services recently
8 released guidance encouraging states to pursue the implementation of health information
9 technology as a key to driving down health care costs; and

10 WHEREAS, the goals of electronic prescribing and health information technology
11 systems are to strengthen the physician patient relationship, improve patient care by allowing
12 physicians to coordinate care across all specialties/fields, facilitate improved quality
13 management of chronic disease thereby reducing health system costs, and allow physicians
14 to monitor medication adherence.

15 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
16 does hereby establish and create the Legislative Workgroup on Electronic Prescribing to
17 study and make recommendations to the legislature concerning electronic prescribing which
18 at a minimum would accomplish the following:

19 (1) Seek to limit marketing in electronic health record systems.

20 (2) Seek to encourage the provision of evidence based information at the point of
21 care for the prescriber and patient.

22 (3) Standardize prior authorization to maximize administrative simplification and
23 efficiency and adopt a universal prior authorization form to be made available for electronic
24 use.

25 (4) Provide for a patient's freedom of choice with respect to the selection of a
26 pharmacy.

27 (5) Provide for user authentication, audit, and physical security.

28 BE IT FURTHER RESOLVED that the Legislative Workgroup on Electronic
29 Prescribing is hereby established and shall be composed of the following members

30 (1) One representative appointed by the Louisiana State Board of Pharmacy who

1 will serve as co-chair.

2 (2) One representative of the Louisiana State Board of Medical Examiners who will
3 serve as co-chair.

4 (3) One representative of the Department of Health and Hospitals.

5 (4) One representative of the Department of Insurance.

6 (5) One representative appointed by the Louisiana State Medical Society.

7 (6) One representative appointed by the Louisiana Academy of Family Physicians.

8 (7) One representative appointed by the Louisiana Independent Pharmacies
9 Association.

10 (8) One representative appointed by the Pharmaceutical Researchers and
11 Manufacturers of America.

12 (9) One representative appointed by the Louisiana Association of Health Plans.

13 (10) One representative appointed by the Louisiana Healthcare Quality Forum.

14 (11) One representative appointed by the Louisiana Hospital Association.

15 (12) One representative of the Louisiana Workman's Compensation Commission.

16 (13) One representative of the Louisiana Association of Self Insured Employers.

17 (14) One representative of eQHealth Solutions.

18 (15) One representative of the National Association of Chain Drug Stores.

19 (16) One representative of the Louisiana Orthopedic Association.

20 (17) One representative of the Louisiana State Board of Nursing.

21 (18) One representative of the Louisiana Association of Nurse Practitioners

22 (19) One representative of Medicine Louisiana, Inc.

23 (20) One representative of the Louisiana Chapter of the American Academy of
24 Pediatrics.

25 (21) One representative of the Louisiana State Board of Optometry Examiners.

26 BE IT FURTHER RESOLVED that the workgroup shall study and provide
27 recommendations on the following aspects of electronic prescribing systems:

28 (1) Best practices to maintain a neutral platform for the secure electronic
29 transmission of health data including, but not limited to medication history, formulary status,
30 and other patient information health professionals typically access when prescribing

1 medication and other interventions.

2 (2) Best practices to assure attempts to influence, through economic incentives or
3 otherwise, the prescribing decisions of the practitioner at the point of care can be kept to a
4 minimum and focused on patient safety and outcomes that maximize patient and provider
5 freedom of choice.

6 (3) Best practices to assure messages in electronic prescribing systems are
7 substantially supported by scientific evidence, accurate, up to date, and fact based, including
8 a fair and balanced presentation of risks and benefits, and support for better clinical decision
9 making, such as alerts to adverse events and access to formulary information.

10 (4) Best practices to establish a process to provide electronic prior authorization
11 request and approval transactions between providers and group purchasers.

12 BE IT FURTHER RESOLVED that the Louisiana Board of Pharmacy and the
13 Louisiana State Board of Medical Examiners shall coordinate, facilitate and support the
14 functions and duties of the Legislative Workgroup on Electronic Prescribing.

15 BE IT FURTHER RESOLVED that the Legislative Workgroup on Electronic
16 Prescribing shall submit a report to Senate Committee on Health and Welfare, the Louisiana
17 Board of Pharmacy, and the Louisiana State Board of Medical Examiners on or before
18 January 1, 2012.

19 BE IT FURTHER RESOLVED that the Louisiana Board of Pharmacy and the
20 Louisiana State Board of Medical Examiners shall coordinate, facilitate, and support the
21 functions and duties of the study group.

22 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
23 Louisiana Board of Pharmacy, the Louisiana State Board of Medical Examiners, the
24 Louisiana Department of Health and Hospitals, the Louisiana Department of Insurance, the
25 Louisiana State Medical Society, the Louisiana Academy of Family Physicians, the
26 Louisiana Independent Pharmacies Association, Pharmaceutical Researchers and
27 Manufacturers of America, the Louisiana Association of Health Plans, the Louisiana
28 Healthcare Quality Forum, the Louisiana Hospital Association, the Louisiana Workman's
29 Compensation Commission, Louisiana Association of Self Insured Employers, eQHealth
30 Solutions, the National Association of Chain Drug Stores, the Louisiana Orthopedic

- 1 Association, Louisiana State Board of Nursing, the Louisiana Association of Nurse
2 Practitioners, Medicine Louisiana, Inc., the Louisiana Chapter of the American Academy,
3 and the Louisiana State Board of Optometry Examiners.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Mills

SR No. 81

Creates the Legislative Workgroup on Electronic Prescribing to study and make
recommendations to the legislature concerning electronic prescribing.

Requires report on or before January 1, 2012.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Adds members to the Legislative Workgroup on Electronic Prescribing.
2. Provides that the LSBME shall coordinate, facilitate, and support the
functions of the work group.
3. Technical amendments.